

City of Round Rock
Regular City Council Meeting
March 26, 2009

The Round Rock City Council met in Regular Session on Thursday, March 26, 2009, in the City Council Chamber, 221 E. Main Street.

CALL SESSION TO ORDER – 7:00 P.M.

Mayor McGraw called the session to order at 7:03 p.m.

ROLL CALL: Those members present were Mayor Alan McGraw, Mayor Pro-Tem Joe Clifford, Councilmember Rufus Honeycutt, Councilmember George White, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Councilmember Kris Whitfield was absent from this meeting. Also present were City Manager Jim Nuse, Assistant Manager David Kautz, Assistant City Manager Cindy Demers, and City Attorney Steve Sheets.

PLEDGE OF ALLEGIANCE:

Mayor McGraw led the following Pledges of Allegiance:

3A. United States Flag

3B. Texas State Flag

CITIZEN COMMUNICATION

There were no citizens wishing to speak.

5A. Consider a proclamation honoring Dr. Linda Bolding for her tireless contributions as Director of the Round Rock Community Choir and for her community service in Round Rock.

Mayor McGraw read the following proclamation and presented it to Dr. Bolding.

WHEREAS, the City of Round Rock treasures its community leaders and values enhancements to the culture of the area; and

WHEREAS, Dr. Linda Bolding has devoted the past 24 years to showcasing fine arts in the City of Round Rock, dedicating her time and talents to grow the Round Rock Community Choir from its infancy to more than 100 community members; and

WHEREAS, Dr. Bolding has enriched the lives of Round Rock ISD students as well as members of the community through her caring and motivating spirit; and

WHEREAS, Dr. Bolding was instrumental in the successful passage of bonds to erect the Round Rock ISD Performing Arts Center at McNeil High School; and

WHEREAS, Dr. Bolding helped put Round Rock, Texas, on the global map by directing the Round Rock Community Choir in such countries as Germany, Austria, Switzerland, and Italy; and

WHEREAS, Dr. Bolding, along with the Round Rock Community Choir, represented the City of Round Rock stateside at venues such as Carnegie Hall, and The National Cathedral, as well as performances for former Governor and President George W. Bush;

NOW, THEREFORE, I, ALAN MCGRAW, Mayor of the City of Round Rock, Texas, do hereby proclaim, March 26, 2009, as

“Dr. Linda Bolding Day”

in Round Rock and urge all citizens to join me in thanking Dr. Linda Bolding for her stalwart leadership and commitment to the Round Rock Community Choir’s success in the community.

PROCLAIMED this 26th day of March, 2009.

CONSENT AGENDA:

All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.

*7A. Consider approval of the City Council minutes for March 12, 2009.

*9B1. Consider an ordinance amending Chapter 9, Section 9.1816(24) and adding Section 9.1821, Code of Ordinances, regarding stopping, standing or parking of vehicles on Lamar Boulevard and near certain fire stations. (Second Reading)

*9B2. Consider an ordinance amending Chapter 9, Section 9.502, Code of Ordinances, establishing a 50-mph speed zone on a portion of F.M. 1325. (Second Reading)

MOTION: Councilmember Honeycutt moved to approve the consent agenda.
Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

PRESENTATIONS:

8A1. Consider a presentation regarding Williamson County’s Multi-Corridor Transportation Plan (MCTP). Commissioner Birkman began the presentation and then introduced Mike Weaver who covered the County’s plan and finished the presentation.

8B1. Consider a presentation on the City’s financial status. Cindy Demers made the staff presentation.

8C1. Consider a presentation regarding the City’s recently completed curbside recycling pilot program. Michael Thane, Utilities Director made the staff presentation.

8D1. Consider a presentation regarding a proposed ordinance amending Chapter 3, Section 3.14, Code of Ordinances concerning establishing a temporary program for Special

Purpose Signs in Commercial Centers. Jim Stendebach, Planning and Community Development

Director made the staff presentation.

ORDINANCES:

9A1. Consider an ordinance naming the proposed roadway now referred to as Arterial

“A” “Kenney Fort Boulevard.” (First Reading) Jim Stendebach, Planning and Community

Development Director made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE NAMING THE PROPOSED ROADWAY NOW REFERRED TO AS ARTERIAL
“A” “KENNEY FORT BOULEVARD”; PROVIDING A SAVINGS CLAUSE AND REPEALING
CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Rhode moved to approve the ordinance. Councilmember
Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the
ordinance with the unanimous consent of all the Councilmembers present and to adopt the
ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously

*9B1. Consider an ordinance amending Chapter 9, Section 9.1816(24) and adding
Section 9.1821, Code of Ordinances, regarding stopping, standing or parking of vehicles on
Lamar Boulevard and near certain fire stations. (Second Reading) This item was approved
under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.1816(24), AND ADDING SECTION 9.1821, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING STOPPING, STANDING, OR PARKING OF VEHICLES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

*9B2. Consider an ordinance amending Chapter 9, Section 9.502, Code of Ordinances, establishing a 50-mph speed zone on a portion of F.M. 1325. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.1816(24), AND ADDING SECTION 9.1821, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING STOPPING, STANDING, OR PARKING OF VEHICLES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

9B3. Consider an ordinance amending Chapter 9, Section 9.502, Code of Ordinances, establishing new speed limits on a portion of RM 620 (Round Rock Avenue) from 644' east of Deep Wood Drive to Mays Street. (First Reading)(Requires Two Readings) Tom Word, Chief of Public Works Operations made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.503, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, DESIGNATING A PORTION OF RM 620 (ROUND ROCK AVENUE) AS A SCHOOL SPEED ZONE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Rhode moved to approve the ordinance. Mayor Pro-Tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford
	Nays:	Mayor McGraw
	Absent:	Councilmember Whitfield

ACTION: The motion carried with a vote of 5 ayes and 1 nay.

9B4. Consider an ordinance amending Chapter 9, Section 9.502, Code of Ordinances establishing a new speed limit on Red Bud Lane from U.S. 79 to CR117. (First Reading)(Requires Two Readings) Tom Word, Chief of Public Works Operations made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHANGING THE SPEED ZONE ON A PORTION OF RED BUD LANE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

9B5. Consider an ordinance amending Chapter 9, Section 9.503, Code of Ordinances, designating a portion of RM620 as a school speed zone. (First Reading)(Requires Two Readings)

Tom Word, Chief of Public Works Operations made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHANGING THE SPEED ZONE ON A PORTION OF RM 620 (ROUND ROCK AVENUE); PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Mayor Pro-Tem Clifford moved to approve the ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

9B6. Consider an ordinance amending Chapter 9, Section 9.1816, Code of Ordinances, to prohibit stopping, standing, or parking of vehicles on Tiger Trail. (First Reading)(Requires Two Readings) Tom Word, Chief of Public Works Operations made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.1816, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO PROHIBIT PARKING ON TIGER TRAIL; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

RESOLUTIONS:

10A1. Consider a resolution granting consent to the Fern Bluff Municipal Utility District to enter into an Out-of-District Wastewater Service Agreement. Michael Thane, Utilities Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock (“City”) granted its consent to the creation of the Fern Bluff Municipal Utility District (“District”) by Resolution No. 715R on May 2, 1985, and

WHEREAS, the Cities of Austin and Round Rock approved that one certain “Assignment of Agreement Concerning Creation and Operation of Fern Bluff Municipal Utility District and Agreement Regarding Wastewater Service” in which the rights and obligations of Austin under the Consent Agreement were assigned to the City, and

WHEREAS, the District has been requested to provide out-of-district wastewater service to approximately 20.02 acres of land known as the Ivie Tract, and

WHEREAS, Article V of the Consent Agreement requires prior approval of the City Council in order for the District to sell or deliver wastewater service to areas outside the District’s boundaries, and

WHEREAS, Article V of the Consent Agreement also requires the District to submit a land use plan concerning the land for which the out-of-district wastewater service is being sought, and

WHEREAS, the City desires to grant approval of the District’s petition for consent to an out-of-district wastewater service agreement, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Petition for Consent to Out-of-District Wastewater Service Agreement with Fern Bluff Municipal Utility District, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and

the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of March, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

10B1. Consider a resolution authorizing the Mayor to execute an Agreement for Consulting Services for Design Studies for the Brushy Creek Regional Trail Gap Project with the BWM Group. Rick Atkins, Parks and Recreation Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain professional consulting services for design studies for the Brushy Creek Regional Trail Gap Project, and

WHEREAS, BWM Group has submitted an Agreement for Consulting Services to provide said services, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Consulting Services for Design Studies for the Brushy Creek Regional Trail Gap Project with BWM Group, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of March, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

10B2. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the Round Rock Independent School District for the construction of the Westside recreation center recently named the Legacy Fieldhouse. This item was withdrawn at the request of staff.

10C1. Consider a resolution authorizing the Mayor to execute a contract with Cutler Repaving, Inc. for the 2009 Street Maintenance Program. Tom Word, Chief of Public Works Operations made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has duly advertised for bids for the 2009 Street Maintenance Program, and

WHEREAS, while only one bid was received from Cutler Repaving, Inc., the City Council has determined that the bid is acceptable, and

WHEREAS, the City Council wishes to accept the bid of Cutler Repaving, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a contract with Cutler Repaving, Inc. for the 2009 Street Maintenance Program.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of March, 2009.

MOTION: Councilmember White moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Salinas Councilmember Rhode Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Whitfield

ACTION: The motion carried unanimously.

10C2. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HVJ Associates, Inc. for the Pavement Management System project.

Tom Word, Chief of Public Works Operations made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain engineering services for the Pavement Management System Project, and

WHEREAS, HVJ Associates, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HVJ Associates, Inc.,
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HVJ Associates, Inc. for the Pavement Management System Project, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of March, 2009.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Mayor McGraw
	Nays:	Councilmember White Mayor Pro-Tem Clifford
	Absent:	Councilmember Whitfield

ACTION: The motion carried with a vote of 4 ayes and 2 nays.

10C3. Consider a resolution authorizing the Mayor to execute Supplemental Agreement No. 3 to the Planning Services Agreement for consulting services for transportation planning with The Goodman Corporation. Tom Word, Chief of Public Works Operations made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a Planning Services Agreement ("Agreement") for consulting services for transportation planning from The Goodman Corporation, and

WHEREAS, The Goodman Corporation has submitted Supplemental Agreement No. 3 to the Agreement to provide a scope of services change, and

WHEREAS, the City Council desires to enter into said Supplemental Agreement No. 3 with The Goodman Corporation, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 3 to the Planning Services Agreement with The Goodman Corporation, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such

VOTE:

Ayes: Councilmember Honeycutt
Councilmember White
Councilmember Salinas
Councilmember Rhode
Mayor Pro-Tem Clifford
Mayor McGraw

Nays: None
Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

10C5. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 with Klotz Associates, Inc. for the Wyoming Springs Drive widening project. Tom Word, Chief of Public Works Operations made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a Contract for Engineering Services ("Contract") with Klotz Associates, Inc. for the Wyoming Springs Drive – Widening Project, and

WHEREAS, Klotz Associates, Inc. has submitted Supplemental Contract No. 1 to the Contract to modify the provisions for the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Contract No. 1 with Klotz Associates, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Contract No. 1 to the Contract with Klotz Associates, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of March, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
Councilmember White
Councilmember Salinas
Councilmember Rhode
Mayor Pro-Tem Clifford
Mayor McGraw
Nays: None
Absent: Councilmember Whitfield

ACTION: The motion carried unanimously.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 p.m.

Respectfully Submitted,

Sara L. White, City Secretary